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Letter dated 10 March 2014 from the Chair of the Security Council Committee pursuant to resolutions 751 (1992) and 1907 (2009) concerning Somalia and Eritrea addressed to the President of the Security Council

On behalf of the Security Council Committee pursuant to resolutions 751 (1992) and 1907 (2009) concerning Somalia and Eritrea, I have the honour to transmit herewith the report of the Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator on the delivery of humanitarian assistance in Somalia and on any impediments to the delivery of humanitarian assistance in Somalia in accordance with paragraph 23 of Security Council resolution 2111 (2013) (see annex).

I would appreciate it if the present letter and its annex were brought to the attention of the members of the Security Council and issued as a document of the Council.

(*Signed*) **Oh** Joon
Chair
Security Council Committee pursuant to
resolutions 751 (1992) and 1907 (2009)
concerning Somalia and Eritrea

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Annex

Letter dated 18 February 2014 from the Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator addressed to the Chair of the Security Council Committee pursuant to resolutions 751 (1992) and 1907 (2009) concerning Somalia and Eritrea

In accordance with paragraph 23 of Security Council resolution 2111 (2013), I have the honour to transmit the requested report on the delivery of humanitarian assistance in Somalia and on the impediments to the delivery of humanitarian assistance in Somalia (see enclosure).

The humanitarian community working in Somalia wishes to advise that, as with the previous seven reports, it maintains the definition of "implementing partner" pursuant to paragraph 5 of Security Council resolution 1916 (2010), which is as follows:

> "Implementing partner" — a non-governmental organization (NGO) or community-based organization that has undergone due diligence to establish its bona fides by a United Nations agency or another NGO, and that reports when requested to the Resident and Humanitarian Coordinator for Somalia on mitigation measures. Implementing partners have the following characteristics:
>
> (a) The organization is part of the consolidated appeal process for Somalia (or the Common Humanitarian Fund process); and/or
>
> (b) The organization is represented in a cluster's 3W matrix (*Who* does *What* and *Where*).

I remain available should you have any questions about the content of the report or need further clarification on the humanitarian situation in Somalia.

(*Signed*) Valerie **Amos**
Under-Secretary-General for Humanitarian Affairs and
Emergency Relief Coordinator

Enclosure

Report of the Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator

Introduction

1. The present report is the first submission pursuant to Security Council resolution 2111 (2013), the successor resolution to resolutions 1972 (2011), 1916 (2010) and 2060 (2012), in which the Council first established the reporting requirement, and the eighth submission in total pursuant to those resolutions. The Council, in paragraph 23 of resolution 2111 (2013), requested the Emergency Relief Coordinator to report to it by 20 March 2014 on the delivery of humanitarian assistance in Somalia and on the impediments to the delivery of humanitarian assistance in Somalia, through the support of United Nations agencies and humanitarian organizations having observer status with the General Assembly that provide humanitarian assistance in Somalia.

2. The present report covers the period from July 2013 to January 2014. It focuses primarily on the delivery of humanitarian assistance to affected populations of the regions of Somalia under the control or in areas of influence of Al-Shabaab, which was listed, pursuant to paragraph 8 of Security Council resolution 1844 (2008), by the Security Council Committee pursuant to resolutions 751 (1992) and 1907 (2009) concerning Somalia and Eritrea on 12 April 2010.

3. As in the previous seven reports (S/2010/372, S/2010/580, S/2011/125, S/2011/694, S/2012/546, S/2012/856 and S/2013/415), the present report outlines constraints to humanitarian access and their operational implications, as well as mitigation measures put in place to address the politicization, misuse and misappropriation of humanitarian assistance. The report is based on information gathered in a survey of relevant humanitarian agencies and clusters active in Somalia and information from the Risk Management Unit in the Office of the United Nations Resident and Humanitarian Coordinator for Somalia.

Humanitarian situation

4. Despite continuous improvements, humanitarian needs remain vast and the gains fragile. Approximately 857,000 people are unable to meet basic food requirements without continued assistance, and a further 2 million people barely meet their food needs and rely on livelihood support. Malnutrition rates remain among the highest in the world, with one in seven children under the age of 5, or 203,000 children, estimated to be acutely malnourished. More than 50,000 of these malnourished children are currently at death's doorstep, and without assistance this number could double in six months' time. More than 1 million people remain displaced and lack access to adequate and quality basic services, such as shelter, water, sanitation, health and education. In addition, more than 1 million Somalis are refugees in the region. Heavy rains, flooding and the tropical storms of 10 November 2013 resulted in the death of some 80 people and the loss of more than 80 per cent of some 800,000 cattle in Puntland. In Jawhar, Middle Shebelle, an estimated 80,000 people have been affected by flooding and inter-clan fighting. At the end of 2013, a food security alert was issued for parts of southern and north-eastern rural areas affected by climatic shocks and intercommunal fighting. However, a timely and focused response to these early warnings averted a

deterioration of the food security situation. As a result, there is a slight reduction in the projected number of people in need of life-saving and resilience assistance for the period from January to June 2014 throughout Somalia, once again highlighting the critical impact of humanitarian assistance on those most in need.

5. Humanitarian agencies estimate that some 67 per cent of the 2.9 million people that require humanitarian and livelihood assistance live in south central Somalia, where a large part of the territory is under the direct control of Al-Shabaab or falls within its areas of influence. Some 32 national and international humanitarian organizations operate in the area and are able to reach most of the affected people despite the many challenges faced. By the end of 2013, close to 1.7 million people had received food assistance and agricultural inputs (seeds, fertilizers and farm implements); 528,000 children under the age of 5 had benefited from nutrition interventions; access to primary and secondary health services had been provided to almost 2 million people; 790,000 people had been assisted with access to sustainable safe water; 576,000 school children had been reached with education services; and 347,000 internally displaced persons had received emergency assistance packages. While the mass vaccination of more than 4 million children, including in areas controlled by Al-Shabaab, reduced the spread of polio, an estimated 580,000 children in parts of southern and central Somalia have not yet been vaccinated and remain at high risk of infectious disease, such as polio and measles. As at 1 February, there were 190 confirmed cases of polio in Somalia since the outbreak started in May 2013. Humanitarian agencies also provided food, water and sanitation supplies and non-food items to the people affected by floods and inter-clan conflict in and around Jawhar and Balcad districts of Middle Shabelle. Restoring the livelihoods of people affected by these natural and manmade hazards continues to be a challenge because of security threats that continue to prevent people from returning to villages and the absence of river bank management to allow farmers to reutilize plots affected by floods.

6. Finding durable solutions for the estimated 1.1 million internally displaced persons and the additional 1 million Somali refugees is another challenge. Forced evictions of internally displaced persons remain a major protection concern in Somalia, mainly in Mogadishu. In 2013 an estimated 17,000 internally displaced persons, including orphans and people with disabilities, were evicted from their homes. Over 90 per cent of these evictions occurred in Mogadishu as a result of the Government reclaiming public buildings and private property owners, mainly from the diaspora, returning and repossessing their land. The government-led plan to relocate internally displaced persons in Mogadishu, which offered a dignified alternative to the evictions, was put on hold mainly because the minimum security needed and land tenure benchmarks were not met in the assigned relocation site. Political infighting which led to the eventual dismissal of the Prime Minister and the Cabinet also slowed down the momentum of the process as the Government's attention shifted from the relocation plan. Consequently, internally displaced persons continued to live in scattered and unsafe settlements inside and at the outskirts of Mogadishu. "Gatekeepers", self-appointed powerful guardians of settlements of internally displaced persons, also continued to stifle access to internally displaced persons and maintained tight control over assistance flows. In Kismaayo, the leader of the interim Juba Administration, Sheikh Ahmed Madobe, issued an eviction notice in November 2013 in which people occupying public buildings and land were asked to vacate the premises by 20 January 2014. By

mid-December 2013, more than 450 people among the 7,000 affected internally displaced persons in Kismaayo had been moved from the public properties and land that they had previously occupied. They reportedly received financial compensation from the interim Juba Administration. Advocacy by the Humanitarian Coordinator and the Office for the Coordination of Humanitarian Affairs of the Secretariat helped to ensure that the internally displaced persons were given time and financial compensation before they were asked to vacate the buildings that they occupied.

7. In November 2013, a tripartite agreement between the Governments of Kenya and Somalia and the Office of the United Nations High Commissioner for Refugees (UNHCR) on the voluntary repatriation of Somali refugees in Kenya was signed. UNHCR launched a pilot phase programme to support the reintegration of 10,000 potential returnees to Luuq (Gedo), Baidoa (Bay) and Kismaayo (Lower Juba) from January to June 2014. Although the pilot phase focuses on a limited caseload, its success is crucial for the wider durable solutions agenda. Thus, the focus should be on the thorough preparation of the areas of return to ensure that returns are sustainable and to prevent a situation of returning refugees becoming internally displaced persons because of a lack of basic social services in the receiving areas.

Humanitarian response, access constraints and operational implications

8. Humanitarian access, especially in southern Somalia, remained complex, and the risks associated with the delivery of humanitarian assistance persisted. Despite military gains by the Somali National Armed Forces supported by the African Union Mission in Somalia (AMISOM), the majority of humanitarian agencies working in the south and central regions reported that the risk of operating in the area had increased following the fragmentation of Al-Shabaab into factions. Assassinations of Somali government officials, police officers and soldiers continued. Often, these assassinations also lead to the death of civilians, including humanitarian workers, who are caught in the cross fire or bomb blasts. Indicative of the difficult environment was the withdrawal of Médecins Sans Frontières from Somalia on 14 August after 22 years in the country, citing attacks on its staff and the increasing impunity of perpetrators of such attacks. Médecins Sans Frontières had provided assistance to 20 health facilities, many in hard-to-reach, remote areas in south central Somalia. The withdrawal of Médecins Sans Frontières created gaps in health response, as some health facilities were closed. Other humanitarian agencies and local authorities in some areas, such as Somaliland, managed to cover most of the gaps, albeit at the cost of diverting resources from other health services.

9. On the other hand, improved access and the opening of new roads allowed humanitarian partners to reach people in some areas that were recently brought under the Government and allied forces' control, such as Kismaayo and Afmadow (Lower Juba), Baidoa (Bay), Jawhar (Middle Shabelle) and Marka (Lower Shabelle). However, insecurity and the lack of effective local administrations in those areas remained a major impediment to conducting efficient humanitarian response operations. Even where physical access and the presence of humanitarian agencies had improved, such as in major towns, including Mogadishu, Baidoa and Kismaayo, insecurity continued to restrict access to people in need, both in the towns and in the adjacent rural areas. Ensuring that assistance reached the most vulnerable was further limited by difficulties in setting up effective monitoring systems in the "newly recovered areas" due to continued insecurity as a result of Al-Shabaab's asymmetrical tactics. In large rural areas adjacent to the newly

recovered towns, Al-Shabaab continued to impose restrictions on humanitarian partners. For instance, polio vaccination was carried out in less than optimal conditions in areas held by Al-Shabaab owing to restrictions imposed on public announcements of the campaign and house-to-house vaccination.

10. The anticipated AMISOM offensive against Al-Shabaab in food basket regions of Somalia, such as the Shabelles and Jubas, is likely to aggravate the humanitarian situation and further hamper humanitarian activities. It coincides with the planting season and could delay or disrupt land preparation and the planting of crops, which will worsen the food security situation. It could also lead to reduced access to markets and restrict livestock movements to areas with better pasture and water, which will in turn exacerbate the nutrition situation. Furthermore, the operation may result in civilian casualties and displace people from their home areas. There is a high risk of increased violations against civilians, such as gender-based violence and violations against children. Displacement bears the additional risks of transmission of diseases, including polio. The provision of basic services, such as health, education, and water, sanitation and hygiene services, could also be disrupted. While AMISOM gains space through military action, this does not immediately translate to increased humanitarian access, although the ability to conduct vaccinations in hard-to-reach areas could increase.

11. In addition to security issues, the arrest of humanitarian staff and administrative restrictions, such as interference with and taxation of non-governmental organizations (NGOs) and United Nations agencies by local administrations, were other impediments to access. Owing to the absence of national regulation on the registration of NGOs, local administrations in different parts of Somalia conduct arbitrary registrations, often imposing registration fees. Meanwhile, although the impact of the Internet ban is not fully apparent at the time of writing, the ban is already affecting the ability of humanitarian staff to effectively communicate information regarding humanitarian needs and response.

Security situation

12. Persisting insecurity, in particular in southern and central Somalia, continues to limit humanitarian access and the delivery of assistance. Al-Shabaab, which controls at least half of southern and central Somalia, continues to engage in asymmetrical warfare targeting government officials, the diaspora, humanitarian workers, including Somali nationals working for the United Nations, and other international organizations. During the reporting period the number of attacks in public locations, such as hotels, restaurants and coffee shops, continued and resulted in more than 40 civilian casualties.[a] For example, on 19 October 2013, a personnel-borne improvised explosive device exploded in a teashop in Beledweyne, Hiraan region, killing 20 people and wounding 31 others. At least 10 of the people killed were civilians. A month later, on 19 November, Al-Shabaab attacked the police centre in Beledweyne, killing 24 people and wounding 30 others. Of those killed, 10 were civilians. In Mogadishu, attacks on hotels, including Jazeera, Mubarak and Al-Mukarama, targeting mainly Somali authorities, resulted in civilian casualties. A complex attack on Jazeera Hotel on 1 January 2014 resulted in 11 deaths and wounded 20 more. The kidnapping and detention of national staff associated with

[a] The total number of people killed, as indicated in the examples that follow, is much higher than 40; the figure refers to the number of civilians killed during the reporting period.

NGOs and international organizations have also increased. At the end of the reporting period, seven Somali aid workers were still detained by Al-Shabaab.

13. The security risk in areas earlier reclaimed by AMISOM and government forces, such as Baidoa, Kismaayo and Beledweyne, remained high. Intra- and intercommunal fighting, often over natural resources, also disrupted people's lives and livelihoods. Early in November 2013, inter-clan fighting in Middle Shabelle displaced an estimated 18,000 people from 10 villages affected by the violence. In December 2013, inter-clan fighting in Lower Shabelle led to the temporary displacement of 54,000 people.

Risk mitigation measures

14. Despite this highly challenging environment, humanitarian agencies continue to make efforts to improve monitoring and select appropriate implementing partners that are best placed to address humanitarian needs in Somalia. The Risk Management Unit, working according to the International Organization for Standardization (ISO) 31000 standards, continued to support the United Nations country team in these efforts through the promotion of enterprise risk management[b] and increased due diligence strategies. The Unit promoted information sharing and the use of common standards of due diligence within the country team, both of which are essential for the identification and management of risk. The Unit also supported the UNCT in enhancing aid effectiveness by conducting monitoring and surveillance on behalf of United Nations entities. During the reporting period, the Unit's monitoring on behalf of a United Nations entity led to the initiation of an investigation of an implementing partner for potential fraud.

15. Risk analysis conducted by the Risk Management Unit continued to identify many types of risks relating to United Nations operations across Somalia, including in the following seven categories: reputation; partner management; programme; diversion; fiduciary; integrity; and human rights. During the reporting period, the Unit identified "extreme reputational", "very high partner management" and "very high integrity" risks with respect to a private security company/logistical services provider that sought to further consolidate its presence in Somalia. The potential for "high reputational" risk for the United Nations was also associated with another private security company. Analysis conducted by the Unit during the period under review resulted in the assessment that 30 per cent of the partners considered presented a high overall level of risk and 50 per cent presented a medium overall risk to the United Nations.

16. The Risk Management Unit strengthened its outreach and support to the NGO and donor community, including by responding to an increasing number of requests for information and support, and developed terms of reference for the secondment of

[b] Enterprise risk management is an organization-wide process that includes the implementation of a risk management framework, which is a set of components that provide the foundations and organizational arrangements for designing, implementing, monitoring, reviewing and continually improving risk management throughout the organization. The foundations include the policy, objectives, mandate and commitment to manage risk. The organizational arrangements include plans, relationships, accountabilities, resources, processes and activities. The risk management framework is embedded within the organization's overall strategic and operational practices and policies (ISO 31000:2009, *Risk Management — Principles and Guidelines*).

an NGO Liaison Officer to the Unit. In cooperation with NGOs, the Unit provided risk management training to the NGO community in Dhobley (south central Somalia).

17. The contractor information management system continued to expand. The database currently holds information on more than 1,700 contractors and suppliers to the United Nations, an increase of 500 since the previous report. The value of contracts captured now exceeds $3.5 billion, an increase of about $3.0 billion since the issuance of the previous report. The increase in contract value is primarily due to the addition of the United Nations Support Office for AMISOM as a client and their list of contractors and suppliers supporting AMISOM. A total of 14 United Nations entities have contributed to the database so far, up from 12 in the previous report. Efforts are under way to increase this to 16 entities by the end of 2014. In addition, the Risk Management Unit uploaded the World Bank's list of excluded contractors and organizations and a searchable list of individuals and organizations that have been identified in the reports of the Somalia and Eritrea Monitoring Group.

18. Research and development continues to enhance the functionality and features of the database, including mapping software and the addition of a civil servant salary management tool, which is aimed at minimizing duplication across the donor and international community engaged in contributing to government ministries and civil servant salaries in Somalia.

19. The Humanitarian Financing Unit of the Office for the Coordination of Humanitarian Affairs, which administers the Common Humanitarian Fund, continued to minimize the risk of misuse of aid through the enhanced pre-screening and appraisal of the institutional, management, financial and technical capacities of implementing partners and through improved monitoring and auditing systems.

Impact of paragraphs 21 to 24 of resolution 2111 (2013)

20. Paragraph 22 of resolution 2111 (2013) provides that, until 25 October 2014, the obligations imposed on Member States in paragraph 3 of resolution 1844 (2008) shall not apply to the payment of funds, other financial assets or economic resources necessary to ensure the timely delivery of urgently needed humanitarian assistance in Somalia. While organizations surveyed for the present report did not explicitly comment on the impact of paragraphs 21 to 24 of resolution 2111 (2013) on their ability to implement programmes, the non-renewal of the humanitarian exemption would result in delays in the delivery of humanitarian assistance in areas controlled by non-State armed groups.

Conclusion

21. A lack of effective local administrations and rampant insecurity, including attacks by Al-Shabaab explicitly targeting humanitarian personnel, continue to make Somalia one of the most volatile and operationally challenging environments for humanitarian workers. The anticipated military offensive against Al-Shabaab may further restrict access and worsen the food security situation in the traditional food basket areas of Somalia, such as Bay, Bakool, Shabelles and Jubas. Humanitarian partners continue to work despite these risks, but require improved security and access in order to effectively assist about 2.9 million Somalis in need. The implementation of enhanced due diligence measures by the Risk Management Unit has significantly increased the ability of the humanitarian community to identify and redress the misuse and diversion of assistance. The Federal Government of Somalia

needs to step up and discharge its responsibility regarding the "gatekeepers", so that internally displaced persons can have unfettered access to humanitarian assistance. Improved access in some parts of southern Somalia, mainly urban towns recovered from Al-Shabaab, is expected to improve monitoring and enhance the accountability of humanitarian partners. Improved monitoring is likely going to serve as a deterrent to the misuse of funds. In order to ensure that robust risk analysis can be undertaken, all United Nations entities are encouraged to provide the Risk Management Unit with all profile and biographical information and performance ratings of contractors and subcontractors.

22. In the light of the above, the Emergency Relief Coordinator invites the Security Council to renew the humanitarian exemption provided in paragraph 22 of resolution 2111 (2013).